UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of **WALTER JAHRAUS,** Institution Affiliated Party of First Savings and Loan Association of South Dakota, Inc. Aberdeen, South Dakota	Re: Resolution No. DM 92-17 Dated: August 10, 1992

STIPULATION AND CONSENT TO THE ENTRY OF AN ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES

The Office of Thrift Supervision ("OTS"), by and through the Regional Director for the Midwest Region and Walter Jahraus stipulate and agree as follows:

1. Consideration.

The OTS, based upon information reported to it, is of the opinion that grounds exist to initiate an administrative civil money penalty assessment proceeding against Walter Jahraus pursuant to 12 U.S.C. § 1818(i)(2). Walter Jahraus desires to cooperate with OTS and to avoid the time and expense of such administrative litigation and, without admitting or denying that such grounds exist, hereby stipulates and agrees to the following terms in consideration of the forbearance by the OTS from initiating such administrative civil money penalty assessment proceeding against Walter Jahraus with respect to the following matters: twenty-five hundred dollars ($2,500) for approval of loans in violation of the commercial loan limitations of 12 U.S.C. § 1464(c)(2)(A).

2. Jurisdiction.

a. First Savings and Loan Association of South Dakota, Inc., Aberdeen, South Dakota ("First"), is a "savings association" within the meaning of Section 3 of the Federal Deposit Insurance Act ("FDIA") and Section 2 of the Home Owners' Loan Act of 1933. Accordingly, it is an "insured depository institution" as that term is defined in Section 3(c) of the FDIA, (12 U.S.C. § 1813(c)).

b. Walter Jahraus, as a director of First, is an institution affiliated party within the meaning of 12 U.S.C. § 1813(u).

c. Pursuant to Section 3 of the FDIA, OTS is the "appropriate Federal banking agency" to maintain civil money penalty assessment proceedings against such an institution affiliated party. Therefore, Walter Jahraus is subject to the authority of OTS to initiate and maintain the assessment of a civil money penalty pursuant to 12 U.S.C. § 1818(i)(2).

3. Consent.

Walter Jahraus consents to the issuance by OTS of the accompanying Order and further agrees to comply with its terms upon issuance and stipulates that the Order complies with all requirements of law.

4. Finality.

The Order is issued under 12 U.S.C. § 1818(i)(2). Upon its issuance by the Regional Director for the Midwest Region, it shall be a final order, effective and fully enforceable by OTS under the provisions of Section 8(i) of the FDIA, (12 U.S.C. § 1818(i)).

5. Waivers.

Walter Jahraus waives the right to a Notice of Assessment of Civil Money Penalty provided by Section 8(i) of the FDIA, (12 U.S.C. § 1818(i)) and the administrative hearing provided by 12 U.S.C. § 1818(i)(2)(H), and further waives his right to seek judicial review of the Order, including any such right provided by Section 8(h) of the FDIA (12 U.S.C. § 1818(h) or to otherwise challenge the validity of the Order.

6. Double Jeopardy.

Walter Jahraus acknowledges and agrees that this proceeding, the assessment or payment of the penalty contemplated as part of the resolution thereof, and Walter Jahraus' consent to the entry of the Order are for the purposes of resolving this OTS enforcement matter only, and do not resolve, affect, or preclude any other civil or criminal proceeding which may be or has been brought against Walter Jahraus by the OTS or another governmental entity.

By signing this document Walter Jahraus agrees that he will not assert the assessment or payment of this penalty as the basis for a claim of double jeopardy in any pending or future proceeding brought by the United States Department of Justice or any other governmental entity.

7. Effect of Proceedings.

This Stipulation and Consent, the Order, and the payment by the Respondent of any monies or providing any other financial relief as contemplated by the Order, do not compromise, settle, dismiss, resolve,

or in any way affect any civil actions, charges against, or liability of the Respondent that arise pursuant to this action or otherwise, and that may be or have been brought by the Resolution Trust Corporation or any other governmental entity other than the OTS.

WHEREFORE, in consideration of the foregoing, the Regional Director for the Midwest Region on behalf of OTS, and Walter Jahraus execute this Stipulation and Consent to Issuance of Order of Civil Money Penalty Assessment.

OFFICE OF THRIFT SUPERVISION

By: /s/
~~Billy C. Wood~~
Interim Regional Director
Midwest Region

/s/
Walter Jahraus

UNITED STATES OF AMERICA
Before The
OFFICE OF THRIFT SUPERVISION

In the Matter of **WALTER JAHRAUS,** Institution Affiliated Party of First Savings and Loan Association of South Dakota, Inc. Aberdeen, South Dakota	Re: Resolution No. DM 92-17 Dated: August 10, 1992

ORDER OF ASSESSMENT OF CIVIL MONEY PENALTIES

WHEREAS, Walter Jahraus has executed a Stipulation and Consent to Issuance of Order of Civil Money Penalty Assessment, which is incorporated herein by reference ("Stipulation") and is accepted and approved by the Office of Thrift Supervision ("OTS") acting through the Regional Director for the Midwest Region; and,

WHEREAS, Walter Jahraus, in the Stipulation, has consented to the issuance of this Order of Civil Money Penalty Assessment pursuant to 12 U.S.C. § 1818(i)(2).

NOW, THEREFORE, IT IS ORDERED that within thirty (30) days of the effective date of this Order, Walter Jahraus shall pay to OTS a sum of twenty-five hundred dollars ($2,500) by tendering a check to OTS in that amount made payable to the Treasurer of the United States.

OFFICE OF THRIFT SUPERVISION

By: /S/
~~Billy C. Wood~~ Frederick R. LeSteel
Interim Regional Director
Midwest Region